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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,954	10/31/2003	David DiFrancesco	021751-002150US	8801

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EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT

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2621

MAIL DATE

DELIVERY MODE

08/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/698,954

Applicant(s)

DIFRANCESCO, DAVID

Examiner

CHIKAODILI E. ANYIKIRE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-18, 23 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-18, 23 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This application is responsive to application number (10698954) filed on October 31, 2003. Claims 1-10, 12-18, 23, and 36 are pending and have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 13, 2009 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claim 1-2, 4-6, 8-13, 15, 18, 23, and 36 rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsay et al (US 4,757,374, hereafter Ramsay) in view of Lee (US 5,653, 522).

As per **claim 1**, Ramsay discloses a film recorder comprises:

a film recording device (Fig 1, 11, and 12, element 32 (35 MM film camera)) configured to expose sequential frames of film media (Col 6 Ln 60-61 and Col 8 Ln 9-10; Ramsay has a film recorder that exposes a film strip continuously);

and an alignment unit (Fig 1, 11, element 26 and 27) coupled to the film recording device (Fig 1, 11, and 12 element 32 (35 MM film camera)) and to the flat panel display device (Fig 11, element 45; Col 3 Ln 22-31; the reference discloses using guiding rods to control the recording device and display device according to an specific alignment),

wherein the alignment unit (Fig 1, 11, element 26 and 27) is operative to position an optical axis (Fig 1, o) of the flat panel display device (Fig 11, element 45; Col 3 Ln 22-31) with respect to an optical axis of the film recording device such that the film recording device (Fig 1, 11, and 12 element 32 (35 MM film camera)) can expose an individual selected frame of the film media to the separate color component images of the flat panel display (Col 3 Ln 1-31 and Col 4 Ln 17-38 and Ln 67 – Col 5 Ln 5, Col 7 Ln 24-43, and Col 8 Ln 29-40).

However, Ramsay does not explicitly teach a single flat panel display device having a high resolution digital screen driven directly from a computer and configured to

display sequentially separate color component images associated with a single composite color image;.

In the same field of endeavor, Lee discloses at least one flat panel display device a single flat panel display device (Fig 5 element 10) having a high resolution digital screen driven directly from a computer and configured to display sequentially separate color component images associated with a single composite color image (col 4 lns 14-24).

Therefore, it would have been obvious for one having ordinary skill in the art at the time of the invention to modify the invention of Ramsay with the invention of Lee. The advantage of the invention is the correction of the adjustment of LCD panels (col 4 lns 18-22).

As per **claim 2**, Ramsay discloses the film recorder of claim 1 further comprising an external illumination source configured to provide illumination to the one flat panel display;

wherein the external illumination source (Fig 11 element 115 and Fig 13 element 120) is one of the group: LED, strobe lamp, digital light projector (Col 4 Ln 62-66 and Col 7 Ln 53-57).

As per **claim 4**, Ramsay discloses the film recorder system comprising:
a film recording device (Fig 1, 11, and 12, element 32 (35 MM film camera)) configured to expose sequential frames of film media (Col 6 Ln 60-61 and Col 8 Ln 9-10; Ramsay has a film recorder that exposes a film strip continuously).

However, Ramsay does not explicitly teach further comprising:

a second flat panel display device configured to display a second color component image associated with the image;

a third flat panel display device configured to display a third color component image associated with the image; and

an optical combiner coupled to the one flat panel display, to the second flat panel display, and to the third flat panel display, the optical combiner configured to optically combine the first color component image, the second color component image, and the third color component image to form a composite image.

In the same field of endeavor, Lee teaches a second flat panel display device (Fig 5 element 11) configured to display a second color component image associated with the image (col 4 lns 14-24);

a third flat panel display (Fig 5 element 12) device configured to display a third color component image associated with the image (col 4 lns 14-24); and

an optical combiner (Fig 5 element 13) coupled to the one flat panel display, to the second flat panel display, and to the third flat panel display, the optical combiner configured to optically combine the first color component image, the second color component image, and the third color component image to form a composite image (col 3 lns 40-50 and col 4 lns 14-24).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Ramsay with the plurality of displays of Lee. The advantage of the invention is the correction of the adjustment of LCD panels (col 4 lns 18-22).

As per **claim 5**, Lee discloses the film recorder of claim 4 wherein the film recording device is configured to exposes the frame of film media to the composite image formed simultaneously by the monochromatic color component images (col 4 lns 14-24).

As per **claim 6**, Lee discloses the film recorder of claim 5 wherein each one of the first, second and third flat panel devices is only capable of displaying a monochromatic image (Fig 5 element 10-12; col 4 lns 14-24; discloses three separate monochromatic displays).

As per **claim 8**, Lee discloses the film recorder of claim 1, wherein the single flat panel display is also configured to display sequentially a first color component image associated with the selected frame, a second color component image associated with the selected frame and a third color component image associated with the frame and wherein the film recording device is operative to expose the frame to each of the color component images (col 4 lines 14-24).

As per **claim 9**, Ramsay discloses the film recorder of claim 8 wherein the film recording device is operative to expose the frame of film media to the first color component image, then to the second color component image, and then to the third color component image (Col 6 Ln 60-61 and Col 8 Ln 9-10).

Regarding **claim 12**, arguments analogous to those presented for claim 1 are applicable for claim 12.

Regarding **claim 13**, arguments analogous to those presented for claim 2 are applicable for claim 13.

Regarding **claim 15**, arguments analogous to those presented for claim 4 are applicable for claim 15.

As per **claim 17**, the uses of LCDs are well-known to any one of ordinary skill in the art and therefore the examiner takes Official Notice. LCDs are common to flat-panel display and are advantageous because they provide low-cost and efficiency to display systems.

Regarding **claim 18**, arguments analogous to those presented for claim 5 are applicable for claim 18.

As per **claim 23**, Ramsay discloses the method of claim 15 further comprising:
making a release print in response to the film media (Col 6 Ln 60-61 and Col 8 Ln 9-10); and
displaying the release print to audience (Col 6 Ln 60-61 and Col 8 Ln 9-10).

As per **claim 36**, the method of claim 23 further including the step of:
enhancing illumination while recording directly from the sequence of the composite images to intermediate media, including an internegative or interpositive, to minimize the number of required film transfer processes in making the release print (refer to claim 23).

6. Claims 3, 7, 10, 14, and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsay et al (US 4,757,374, hereafter Ramsay) in view of Lee (US 5,653, 522) in further view of Jones (2002/0163676).

As per **claim 3**, Ramsey discloses the film recorder of claim 2 wherein the external illumination source comprises one or more digital light projectors (refer to claim 2).

However, Ramsey does not explicitly teach wherein the one or more digital light projectors project hex chromatic color space images.

In the same field of endeavor, Jones teaches wherein the one or more digital light projectors project hex chromatic color space images (paragraphs [0032], [0033], and [0044]).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Ramsay with the plurality of displays of Jones. The advantage is displaying a broader range of colors, which leads to an optimal display environment is provided (paragraph [0033])

As per **claim 7**, Ramsay discloses the film recorder of claim 4.

However, Ramsay does not explicitly teach further comprising a color filter disposed between the external illumination source and the one flat panel display, wherein the color filter is a color associated with a color component of one of the separate color component images.

In the same field of endeavor, Jones teaches further comprising a color filter disposed between the external illumination source and the one flat panel display, wherein the color filter is a color associated with a color component of one of the separate color component images (paragraph [0032]-[0033]).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Ramsay with the plurality of displays of Jones. The advantage is displaying a broader range of colors, which leads to an optimal display environment is provided (paragraph [0033]).

Regarding **claim 10**, arguments analogous to those presented for claim 7 are applicable for claim 10.

As per **claim 14**, Ramsay discloses the method of claim of claim 13 wherein the external illumination comprises more than one digital light projector (Fig 11 element 115 and Fig 13 element 120; Col 4 Ln 62-66 and Col 7 Ln 53-57).

However, Ramsay does not explicitly teach wherein the more than one digital light projector illuminate the one flat panel display with images in the RGB and CMY color space.

In the same field of endeavor, Jones teaches wherein the more than one digital light projector illuminate the one flat panel display with images in the RGB and CMY color space (paragraphs [0032], [0033], and [0044]).

Therefore, it would have been obvious for one having skill in the art at the time of the invention to modify the invention of Ramsay with the plurality of displays of Jones. The advantage is displaying a broader range of colors, which leads to an optimal display environment is provided (paragraph [0033]).

Regarding **claim 16**, arguments analogous to those presented for claim 5 and 7 are applicable for claim 16.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIKAODILI E. ANYIKIRE whose telephone number is (571)270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272 - 7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/698,954

Page 11

Art Unit: 2621

/Andy S. Rao/

Primary Examiner, Art Unit 2621

August 1, 2009